

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN WAYS, JR.,
FRANK FIROZ,
CHRISTIAN FIROZ,
RHONDA DECAMP,
CONSTANCE HAGELSTEIN,
JOSHUA WELLBORN,
ALAN DAVIS,
MARK COONEY,
MICHAEL BLACKSTONE,
DAVID ROBERTS,

Defendants.

8:12CR391

ORDER

This matter is before the court on the motion of defendant Alan Davis (Davis) for an extension of the pretrial motion deadline (Filing No. 109). The motion will be granted.

IT IS ORDERED:

1. Davis' motion for an extension of time to file pretrial motions (Filing No. 109) is granted.

2. Davis is given until **February 19, 2013**, in which to file pretrial motions. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motions, i.e., the time between **January 18, 2013, and February 19, 2013**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. §3161(h)(7)(A) & (B).

Dated this 18th day of January, 2013.

BY THE COURT:

s/ Thomas D. Thalken
U. S. Magistrate Judge